

REMARKS

This paper is being provided in response to the Office Communication (Paper No. 7), dated March 22, 2004, for the above-referenced application. Applicant respectfully submits that this Amendment and Response supplements Applicant's previously submitted Amendment and Response of December 17, 2003 since the Office Communication indicates that Applicant's response of December 17, 2003 was deemed not fully responsive to the Office Action dated October 6, 2003.

The Office Communication states that Applicant has not addressed, by remarks or amendments, many of the objections to the claims. The Office Communication states that Applicant has not addressed the objections raised with respect to Claim 1, Lines 6 and greater; Claim 2 and corresponding parts of Claims 9, 11, 23, and 24; Claim 4, Claim 12, Claim 29; and corresponding parts of Claims 31-41. Accordingly, Applicant has amended Claims 1-4, 7, 9, 10-12, 18, 23, 24, 29-34, 37, and 39-41 to address the objections raised and respectfully requests that the objections be reconsidered and withdrawn.

The Office Communication states that Applicant has not addressed certain rejections, by remarks or amendments, of the Claims made under 35 U.S.C. 112, second paragraph with respect to Claims 19 and 20 (based on the second access balancing technique); Claim 22, and Claims 25 and 26. Applicant will address these rejections with remarks set forth in following paragraphs.

Applicant's Claim 19 recites that the system of Claim 18 includes machine executable code which selects, in response to a request for data that is stored in both the first and second

cache memories, which of the first and second cache memories to use to obtain the requested data in accordance with a second access balancing technique. Applicant respectfully submits that the recited machine executable code of Claim 19 may perform the cache selection in accordance with a second access balancing technique. For example, Applicant's specification describes that disk data may be read from a cache memory opposite a cache memory used to access the control data (page 20, lines 6-15; Figure 11). The control data may have been previously read from a cache memory determined using statistical analysis (Figure 9) or a round-robin technique (Figure 10). Claim 20 further limits Claim 19 by reciting that the requested data is at least one of control data or disk data. Claim 22 further limits the features of Claims 18, 19 and 20 by reciting that the cache selection hardware is used in implementing at least one of the first and second balancing techniques and the machine executable code is used in implementing at least one of the first and second balancing techniques. Applicant respectfully submits that further amendment to any of the foregoing Claims 19-22 is not necessary for clarification to set forth that which Applicant regards as the invention.

With respect to Claims 25 and 26, Applicant respectfully submits that Claims 25 and 26 recite further hardware included in the cache selection hardware and that further clarification by amendment is not necessary. The claimed first, second, third, and fourth hardware elements are represented, for example, as being included within element 152 of Figure 14. Element 152 may include, for example, one or more chips processing received cache access requests. Applicant's specification describes, for example, that the specialized hardware provides the functionality, or at least a portion thereof, as described in connection with Figures 9-13. The hardware 152 may be implemented using a single chip or a plurality of chips. The hardware 152 may receive access requests for a cache via one or both of the buses 26, 28, or through some other means not shown

in Figure 14. The hardware 152 may then process the requests in accordance with one or more of the techniques described and then read data from one of the cache memories 22, 24. (page 21, line 19-page 15, line 4; Figure 14).

In view of the foregoing, Applicant respectfully requests that the rejections be reconsidered and withdrawn.

Based on the above, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4042.

Respectfully submitted,
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